

NOTICE OF COMPLIANCE/NON-COMPLIANCE

KANSAS DEPARTMENT OF HEALTH AND ENVIRONMENT

Division of Environment Waste Management Program

Initial Inspection: ☒ Yes ☐ No Follow-up Inspection: Yes ☒ No Complaint: Yes ☒ No
Hazardous Waste: LDF () TSF () GEN () KG () SQ () UNV () NOT A GEN () OTHER () To Be Determined
Used Oil: UOG () UOT () UOM () UOP () UOB ()
Solid Waste: SLF () TRS () CDL () ILF () YWC () SWP () HHW () OBS () MTP () WTM () WTP () WTR () WTT ()

TO: Bushnell Outdoor Products 11 / 16 / 10
 Facility Name Date
22101 W. 167th Street Overland Park KS 66062 JO
 Address City State Zip Code County

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EPA Identification No.

[illegible]

Solid Waste Permit No.

This inspection was conducted to determine compliance with the state and federal solid and/or hazardous waste statutes and regulations.

☒ Violations As Follows

☐ No Violations Identified

Citation

Description of Violation

Citation	Description of Violation
1) KAR 28-31-4(b)	Failure to conduct waste determinations for all waste streams currently located in the two 55 gallon storage drums.

☐ Other Comments/Concerns:

507250



RCRA

This notice is provided to call immediate attention to those areas of non-compliance. This notice does not constitute a compliance order issued by KDHE and may not be a complete listing of all violations which may be identified as a result of this inspection. Your facility must submit in writing within 30 days of receipt of this notice a description of all corrective actions taken. Any corrective actions taken by your facility will be considered in subsequent enforcement follow-up.

Your response must be submitted to:

Victoria S. Dispen
Kansas Department of Health and Environment
Southeast District Office
Waste Management Program
1500 W. 7th
Chanute, Kansas 66720-9701

If you have any questions concerning this Notice or wish to discuss your response, you may call me at (620) 431-2390 or Bureau of Waste Management in the Topeka office at (785) 296-1600.

This Notice was prepared by:

Victoria L. O'Brien

Date 11 / 16 / 10

I, the undersigned hereby acknowledge that I have received and read this Notice.

Printed Name: JAMES (KEN) RICHARDSON

Signature: [Signature]

Title: DISTRIBUTION SYSTEMS MANAGER

Date 11 / 16 / 10

KANSAS DEPARTMENT OF HEALTH AND ENVIRONMENT
BUREAU OF WASTE MANAGEMENT
BUREAU OF ENVIRONMENTAL FIELD SERVICES

HAZARDOUS WASTE COMPLIANCE INSPECTION REPORT

Facility Information

EPA/ ID/Permit No. KSR 000 509 463 Number of Employees 53 FT & 18 PT
Facility Name Bushnell Outdoor Products District Northeast
Street 22101 W 167th Street City Olathe ,KS ZIP 66062
Mailing Address (if different than above) Same
County Johnson e-mail KSOSKO@BUSHNELL.COM
Phone (816) 365-9972 Cell Phone _____ Fax (913) 981-1893

Operating Hours and Days Office - 7:30 am - 3:30 pm and Warehouse 6:30 am - 6:30 pm Monday - Friday

Type of Business 48899 - Other Support Activities For Transportation

Were GPS coordinates previously taken for this facility and recorded in the appropriate database?

☐ Yes ☒ No

If no, did you take the GPS coordinates for this facility and record them in the appropriate database

☐ Yes ☒ No

Generator Classification: ☐ Closed/Inactive ☐ Small Qty. Generator ☐ EPA Generator
☐ Not a Generator ☒ Kansas Generator ☐ Transporter

If the facility is inactive and/or closed, please provide an explanation under Facility Description.

Other Regulated Activities: ☐ T/S/D Facility ☐ Tank System ☐ Subpart BB
(Complete applicable reports) ☐ Universal Waste Activities

Does the facility have a total above-ground storage capacity of used oil (excluding containers less than 55-gallons) of more than 1,320 gallons? ☐ Yes ☐ No ☒ NA

If yes, then the facility is subject to SPCC requirements due to used oil activities.

Does the facility have a SPCC Plan? ☐ Yes ☐ No ☒ NA

Did you inform the facility they are subject to SPCC ☐ Yes ☐ No ☒ NA

Facility Used Oil Activities (Attach a checklist for each one marked):

☒ Generator ☐ Collection Center / Aggregation Point
☐ Transporter / Transfer Facility ☐ Used Oil Processor / Re-Refiner
☐ Used Oil Burner (Off-Spec Fuel) ☐ Used Oil Marketer

No Used Oil Activities ☒

Inspection Information

☒ Routine ☐ Complaint

Inspection Time 2:00 p.m. Date(s) November 15, 2010

Name of person completing this report: Victoria S. O'Brien

Inspection Participants:

Include name of inspector(s)			Participated In (Check all that apply)				Comments
			Intro Meeting	Walk-Through	Records Review	Exit Briefing	
Victoria S. O'Brien	Environmental Scientist II	KDHE	X	X	X	X	
Ken Richardson	Distribution Systems Manager	Bushnell Outdoor Products	X	X	X	X	

Has the company declared any information/processes as trade secrets KSA 65-3447? ☐ Yes ☒ No
If yes, explain:

Facility Description: (# of buildings, approximate size of each building, basic activity in each building, processes, etc.):

Bushnell occupies approximately 215,000 square feet in the eastern third of the building located at the site. The remainder of the building is leased by other companies. The majority of the facility is taken up by the company's warehouse and shipping areas. The shipping supervisor office, approximately 120 square feet in size, is located in the middle of the warehouse area. All other offices are located in a small area situated in the northeast corner of the building.

The only activities conducted at the site consist of storage and shipping. No production activities of any type are conducted at the site.

Has this facility been previously inspected by EPA and/or KDHE? ☐ Yes ☒ No
If yes, please summarize the following:

Date	Agency	Description of Violation (do not need to include reg. citations or comments)

Please provide a brief description of any significant process, waste, management, ownership, or other pertinent changes since the previous inspection:

Exit Conference:

Date of Exit Conference: November 16, 2010

Were all violations, comments, corrective actions, and response due dates discussed with the facility if applicable? ☒ Yes ☐ No

Was the possibility of additional violations and possible enforcement discussed with the facility? ☒ Yes ☐ No

Was the generator status and applicable regulatory requirements discussed with the facility during the exit briefing and/or previously during the inspection? ☒ Yes ☐ No

List of items provided to facility:

NOC/NONC ☒ Yes ☐ No
BWM CD ☒ Yes ☐ No
Container Posters ☐ Yes ☒ No

Other (list): _____

Summary of additional information presented to facility during exit conference:

List of Attachments:

#	Description of Attachments (List Photolog as last attachment if applicable)

Please include any additional information from this inspection here as long as it does not pertain to violations or comments:

Violations and Comments

Were Violations cited: ☒ Yes ☐ No
Were written comments made: ☐ Yes ☒ No

Provide a detailed description of each violation and comment, including photo references, attachment references, and regulatory citations below:

Violation 1. Failure to conduct waste determinations in violation of K.A.R. 28-31-4(b). Facility personnel place all damaged/leaking containers of product items in cardboard boxes containing absorbent pads (Photo 1) and then periodically empty the boxes into two 55-gallon drums (Photo 2) located in a drum containment unit located immediately north of the building (Photo 3). One of the drums was being used to accumulate leaking containers of product items and the other drum containers of damaged product items. The drums were both marked with the words "Hazardous Waste," but the boxes were not. According to Mr. Richardson, the company thought the waste would all have to be shipped off-site as hazardous waste but was not sure if the waste was regulated as hazardous waste. When I asked to see the company's waste determinations documentations, Mr. Richardson said they did not have documentation. When I explained the processes for conducting waste determinations, Mr. Richardson said they had not performed the required waste determinations.

During the walk-through portion of the inspection, I also explained container management, manifest, land disposal, and emergency response requirements applicable to Kansas Generators in the event the facility's waste product items were determined to be regulated as hazardous waste.

Subsequent to receiving the facility's response indicating some of the waste product items discussed above are regulated as hazardous waste, I mailed the facility a close-out letter reminding facility personnel that Bushnell Outdoor Products must comply with the above requirements of Kansas Generators.

WASTE STREAM TABLE

(List all hazardous wastes first, followed by solid wastes.)

Waste Description or Process	Waste Type (HW, SW, UW, UO, EX, ND)	If HW, list all codes	Waste Det. Method (PK, AD, or ND)	Waste Amount Generated Per Month		Waste Amount Presently in Storage	Oldest Accumulation Start Date	Present Waste Disposal Location (list name of destination facility and if not clear, put type of facility (MSWLF, TSDF, WWTF, etc.))	Attachment # if attaching documents pertinent to this waste stream
				Amount	Units				
Damaged/Leaking Containers of Product Items		To Be Determined		<60 since May 2010	Gallons	<60 Gallons	Unknown	None To Date	
Fluorescent Lamps		To Be Determined		None Generated To Date					
Cardboard	SW		PK	10	Bales	<10 Bales	Not Applicable	Deffenbaugh	
General Trash	SW		PK	20	Cubic Yards	<20 Cubic Yards	<One Week	K-Pack → Johnson County MSWLF	

PK = Process Knowledge
 AD = Analytical Data
 HW = Hazardous Waste
 SW = Solid Waste
 UW = Universal Waste
 ND = Not Determined
 UO = Used Oil
 EX = Exempt (includes CUP, laundered rags, etc.)

HAZARDOUS WASTE GENERATOR COMPLIANCE INSPECTION REPORT

GENERAL REQUIREMENTS (GGR)

- | | YES | NO | NAV# |
|--|--------------------------|-------------------------------------|-------------------------------------|
| 1. Has the generator evaluated each potentially hazardous waste to determine if it is hazardous? KAR 28-31-4(b) [255] | <input type="checkbox"/> | <input checked="" type="checkbox"/> | |
| a. If waste was tested, was the analysis conducted by a laboratory certified by KDHE? KAR 28-31-4(b)(3)(A) [256] | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b. If waste was tested, are the results kept for three years from date the waste was last sent for on-site or off-site for treatment, storage or disposal? KAR 28-31-4(f)(1)(C) [257] | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c. If waste was not tested, did the generator use knowledge of the hazardous characteristics of the waste in light of the materials or processes used? KAR 28-31-4(b) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 2. If hazardous waste is disposed of via the sanitary sewer to a Publicly Owned Treatment Works (POTW), has the generator received written approval from the City - POTW? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 3. Has the facility obtained a Special Waste Disposal Authorization (SWDA) for each special waste? KAR 28-29-109(c) [258] | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 4. If the generator treats or recycles hazardous waste on-site (such as in a still), do they count waste each time prior to being treated or recycled? KAR 28-31-4(o) [259] | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| a. If the waste is not counted, is it exempt because of a closed-loop system? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

NOTIFICATION REQUIREMENTS FOR KANSAS AND EPA GENERATORS (GGR)

- | | | | |
|---|-------------------------------------|-------------------------------------|--------------------------|
| 5. Has generator notified KDHE and obtained an EPA Identification Number? KAR 28-31-4(c)(1) (Mark NA only for SQG) [263] | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 6. Is current notification accurate? KAR 28-31-4(c)(1) [264] | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

NON-ACCUMULATING SMALL QUANTITY GENERATOR REQUIREMENTS

- | | YES | NO | NAV# |
|---|--------------------------|--------------------------|-------------------------------------|
| 7. If the SQG is accumulating less than 55 pounds (25 kg.) of hazardous waste on-site, | | | |
| a. Is the SQG recycling, treating, or disposing of this waste on-site in an acceptable manner? KAR 28-31-4(m)(3) [287] | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b. Is the SQG sending this waste off-site for treatment, storage, or disposal? KAR 28-31-4(m)(3) [287] | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

(If Non-Accumulating Small Quantity Generator, stop here)

ACCUMULATING SMALL QUANTITY GENERATOR REQUIREMENTS

8. If the SQG is accumulating 55 pounds (25 kg.) or more of hazardous waste,
- a. Is the SQG recycling, treating, or disposing of this waste on-site in an acceptable manner? **KAR 28-31-4(m)(2) [268]** ☐ ☐ ☒
- b. If the SQG is sending waste off-site for treatment, storage, or disposal, is the waste sent to a TSD or some other approved waste management facility? **KAR 28-31-4(m)(2) [269]** ☐ ☐ ☒

PRE-TRANSPORT REQUIREMENTS (GPT)

9. Does generator package **[273]**, label **[274]** (flammable liquid, poison, etc.), and mark **[275]** (consignee's or consignor's name and address, etc.) waste in accordance with the requirements outlined in 49 CFR Parts 172, 173, 178, and 179 (DOT)? **KAR 28-31-4(e) [276]** ☐ ☐
- a. Does the generator mark each container of 110 gallons or less as shown below? **KAR 28-31-4(e)(3)(B) [277]** ☐ ☐ ☒

*Hazardous Waste-Federal Law Prohibits Improper Disposal.
If found, contact the nearest police or public safety authority or the US EPA.
Generator's Name and Address
Manifest Document Number*

10. Does the generator only use a transporter who has registered with KDHE and obtained an EPA Identification Number? **KAR 28-31-4(c)(2) [278]** ☐ ☐

Storage Requirements (GPT)

11. If the generator temporarily stores waste in containers,
- a. Is the accumulation start date marked on each container? **KAR 28-31-4(g)(2) [303] or KAR 28-31-4(h)(3) [291] or KAR 28-31-4(m)(2)(B) [282]** ☐ ☒ ☐
- b. Is each container clearly marked with the words "Hazardous Waste"? **KAR 28-31-4(g)(3) [304] or KAR 28-31-4(h)(4) [292] or KAR 28-31-4(m)(2)(B) [283]** ☒ ☐ ☐
- c. Are all containers holding hazardous waste in good condition **[305, 293, 284]** and closed **[306, 294, 285]** during storage except when necessary to add or remove waste? **KAR 28-31-4(g)(1)(A) or KAR 28-31-4(h)(2)(A) or KAR 28-31-4(m)(2)(B)** ☒ ☐ ☐
- d. Does generator conduct weekly inspections of containers for signs of leakage and/or deterioration caused by corrosion or other factors? **KAR 28-31-4(g)(1)(A) [307] or KAR 28-31-4(h)(2)(A) [295] or KAR 28-31-4(m)(2)(B) [286]** ☐ ☒
- A. If yes, are these inspections documented in a log that includes complete date and time of inspection, name of inspector, notations of observations, and date and nature of remedial actions? **KAR 28-31-4(k) [308, 296, 288]** ☐ ☐
12. If SQG or Kansas generator is accumulating 2,200 lbs. (1,000 kg.) or more of hazardous waste or 2.2 lbs (1 kg.) or more of acutely hazardous waste, then check yes and continue with EPA generator requirements. ☐ ☒

(If Accumulating Small Quantity Generator, <1,000 Kilograms, stop here)

STORAGE REQUIREMENTS FOR KANSAS AND EPA GENERATORS (GPT)

YES NO NAV#

- | | | | |
|--|--------------------------|--------------------------|-------------------------------------|
| 13. If waste in containers is incompatible with other materials stored nearby, are the containers separated from the other materials by means of a dike, berm, wall, or other means? KAR 28-31-4(g)(1)(A) [311] or KAR 28-31-4(h)(2)(A) [299] | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 14. Is EPA generator storing hazardous waste for 90 days or less? KSA 65-3441(a)(2) [312] | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 15. Are containers holding ignitable or reactive waste(s) located at least 50 feet (15 meters) from the generator's property line? (EPA Generator Only) KAR 28-31-4(g)(1)(A) [313] | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

If waste is managed in a tank system, complete the tank checklist. Complete Subpart BB checklist if organic waste contacts piping, valves, pumps, etc. (See 40 CFR 265.1050 for applicability)

SATELLITE ACCUMULATION REQUIREMENTS FOR KANSAS AND EPA GENERATORS (GPT)

- | | | | |
|--|-------------------------------------|-------------------------------------|-------------------------------------|
| 16. If the Kansas or EPA generator has satellite accumulation areas, | | | |
| a. Is 55-gallons or less of each waste stream [317] accumulated at or near the point of generation [318] , in one container [319] , which is under the control of the operator of the process generating that waste? [320] KAR 28-31-4(j)(1) | <input checked="" type="checkbox"/> | <input type="checkbox"/> | |
| b. Is each container in good condition [321] and closed except to add or remove waste? [322] KAR 28-31-4(j)(1)(A) | <input type="checkbox"/> | <input checked="" type="checkbox"/> | |
| c. Is each container marked with the words "Hazardous Waste"? KAR 28-31-4(j)(1)(B) [323] | <input type="checkbox"/> | <input checked="" type="checkbox"/> | |
| d. Is each container marked with the accumulation start date at the time more than 55-gallons is accumulated, or an additional container is started for the same waste stream? KAR 28-31-4(j)(2) [324] | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e. Is each container managed as a storage container within three days of no longer meeting the definition of a satellite container? KAR 28-31-4(j)(2) [325] | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

MANIFESTS REQUIREMENTS FOR KANSAS AND EPA GENERATORS (GMR)

YES NO NAV#

- | | | | |
|--|--------------------------|--------------------------|-------------------------------------|
| 17. If a contractual agreement is used in place of manifesting, (Kansas Generators only) | | | |
| a. Does the contractual agreement include the type of waste and frequency of shipments? KAR 28-31-4(d)(7)(A) [329] | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b. Is the vehicle used to transport the waste owned and operated by the reclaimer of the waste? KAR 28-31-4(d)(7)(B) [330] | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c. Is a copy of the agreement kept for a period of three years after termination of agreement? KAR 28-31-4(d)(7)(C) [331] | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 18. If required, is a hazardous waste manifest used? KAR 28-31-4(d)(1) [335] | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| a. If yes, does each manifest include: | | | |
| 1. Generator EPA identification number (12-digit) [336] and a unique 5-digit manifest document number? [337] KAR 28-31-4(d)(1) | <input type="checkbox"/> | <input type="checkbox"/> | |
| 2. Number of pages? KAR 28-31-4(d)(1) [338] | <input type="checkbox"/> | <input type="checkbox"/> | |
| 3. Generator's name and mailing address? KAR 28-31-4(d)(1) [339] | <input type="checkbox"/> | <input type="checkbox"/> | |
| 4. Generator's phone number? KAR 28-31-4(d)(1) [340] | <input type="checkbox"/> | <input type="checkbox"/> | |
| 5. Each transporter's name? KAR 28-31-4(d)(1) [341] | <input type="checkbox"/> | <input type="checkbox"/> | |
| 6. Each transporter's EPA identification number? KAR 28-31-4(d)(1) [342] | <input type="checkbox"/> | <input type="checkbox"/> | |
| 7. Name and site address of designated facility? KAR 28-31-4(d)(1)(A) [343] | <input type="checkbox"/> | <input type="checkbox"/> | |
| 8. Designated facility's EPA identification number? KAR 28-31-4(d)(1) [344] | <input type="checkbox"/> | <input type="checkbox"/> | |

9. Waste description (DOT shipping name, hazard class, packing group and identification number)? **KAR 28-31-4(d)(1) [345]** ☐ ☐
- i. For waste using a "n.o.s." description, are the requirements of 49 CFR 172.203(k) met? **KAR 28-31-4(d)(1) [346]** ☐ ☐ ☐
10. Number [347] and type of containers? **KAR 28-31-4(d)(1) [348]** ☐ ☐
11. Total quantity? **KAR 28-31-4(d)(1) [349]** ☐ ☐
12. Unit (weight or volume)? **KAR 28-31-4(d)(1) [350]** ☐ ☐
13. Waste codes? **KAR 28-31-4(d)(1) [334]** ☐ ☐
14. Special handling instructions (if applicable)? **KAR 28-31-4(d)(1) [351]** ☐ ☐
15. Generator's certification including waste minimization statement [352] and the date signed by generator? [354] **KAR 28-31-4(d)(1)** ☐ ☐
16. Generator's signature? **KAR 28-31-4(d)(4)(A) [353]** ☐ ☐
17. Name [355], signature [356], and date [357] of initial transporter? **KAR 28-31-4(d)(4)(B)** ☐ ☐
- b. Does generator retain a copy of each initial manifest signed and dated by both generator and transporter? **KAR 28-31-4(d)(4)(C) [358]** ☐ ☐ ☐
- (For 3 years OR until the copy signed and dated by designated facility is received.)
- c. Does generator retain a copy of each manifest for three years that was signed and dated by a representative of the designated facility? **KAR 28-31-4(f)(1)(A) [359]** ☐ ☐ ☐
- d. If generator has failed to receive a signed copy of a manifest within 45 days of initiating a shipment, was an exception report filed? **KAR 28-31-4(f)(4)(B) [360]** ☐ ☐ ☐
1. If yes, was a copy retained for three years? **KAR 28-31-4(f)(1)(B) [361]** ☐ ☐ ☐

LAND DISPOSAL RESTRICTION REQUIREMENTS FOR KANSAS AND EPA GENERATORS (GLB)

YES NO NA V#

19. If the generator's waste is **not** subject to the Land Disposal Restrictions regulations, please explain why: _____
20. If the generator sent waste **not meeting** the treatment standards to an off-site treatment or storage facility, did the generator provide a one-time written notice with the initial shipment of each different waste stream? **KAR 28-31-14/40 CFR 268.7(a)(2) [365]** ☐ ☐ ☒
- a. Did the notice include: EPA hazardous waste numbers (waste codes) [366], manifest number [367], F001-F005, F039 constituents and each underlying hazardous constituents to be monitored (unless all monitored) [368], wastewater or non-wastewater classification [369], waste subcategory (if any) [370], and waste analysis data, if available [371]? **KAR 28-31-14/40 CFR 268.7(a)(2)** ☐ ☐ ☒
21. If the generator sent waste **meeting** the treatment standards to an off-site treatment, storage facility, or disposal facility, did the generator provide a one-time written notice and signed certification statement with the initial shipment to each TSD receiving the waste which certified the waste met the applicable treatment standards? **KAR 28-31-14/40 CFR 268.7(a)(3) [372]** ☐ ☐ ☒
- a. Did the notice include: EPA hazardous waste numbers (waste codes) [366], manifest number [367], F001-F005, F039 constituents and each underlying hazardous constituents to be monitored (unless all monitored) [368], wastewater or non-wastewater classification [369], waste subcategory (if any) [370], and waste analysis data, if available [371]? **KAR 28-31-14/40 CFR 268.7(a)(2)** ☐ ☐ ☒
22. If the generator treated waste in tanks or containers to meet applicable treatment standards:
- a. Did the generator have a written waste analysis plan on-site describing procedures used to comply with the treatment standards? **KAR 28-31-14/40 CFR 268.7(a)(5) [373]** ☐ ☐ ☒
- b. If the generator sent the treated waste off-site, did the generator provide a notice and signed certification statement with the initial shipment? **KAR 28-31-14/40 CFR 268.7(a)(5)(iii) [374]** ☐ ☐ ☒

23. Has the generator retained copies of all notices, certifications, waste analysis data, and other documents for at least 3 years from the last date the corresponding waste was last managed on-site or shipped off-site?

KAR 28-31-14/40 CFR 268.7(a)(8) [375]

☐ ☐ ☒

24. If the generator claims that his characteristic waste, including all applicable underlying hazardous constituents, is no longer hazardous:

- a. Did the generator submit a one-time notice and signed certification to the KDHE and retain a copy for their files?

KAR 28-31-14/40 CFR 268.9(d) [376]

☐ ☐ ☒

- b. Is the information on the notice and certification current?

KAR 28-31-14/40 CFR 268.9(d) [377]

☐ ☐ ☒

Note: If a generator's waste is subject to any Land Disposal Restriction regulations not covered above, then please discuss these situations under "additional information".

SPECIAL CONDITIONS (GSC)

YES NO NA V#

25. If the generator has shipped/received hazardous waste to/from a foreign source, did they comply with the requirements of 40 CFR 262.53 and/or 40 CFR 262.54?

☐ ☐ ☒

If hazardous waste was shipped/received to/from a foreign source, please describe under "additional information".

KANSAS GENERATOR'S EMERGENCY PREPAREDNESS REQUIREMENTS (GPT)

26. Has generator designated at least one employee as an emergency coordinator?

KAR 28-31-4(h)(6) [381]

☒ ☐

- a. Is the emergency coordinator on the premises or available to respond to an emergency by reaching the facility within a short period of time? **KAR 28-31-4(h)(6) [382]**

☒ ☐

- b. Is the emergency coordinator or his/her designee prepared to respond to any emergencies (fires, spills, or releases) that arise? **KAR 28-31-4(h)(9) [383]**

☒ ☐

27. Is the following information posted next to at least one telephone which is accessible with little or no delay in an emergency? **KAR 28-31-4(h)(7) [384]**

- a. Name and telephone number of emergency coordinator(s)?

KAR 28-31-4(h)(7)(A) [385]

☐ ☒

- b. Location of fire extinguishers and spill-control material, and if available, fire alarms?

KAR 28-31-4(h)(7)(B) [386]

☐ ☒

- c. Telephone number of fire department unless facility has a direct alarm (911 is acceptable)? **KAR 28-31-4(h)(7)(C) [387]**

☐ ☒

28. Have employees been trained so that they are familiar with proper waste handling and emergency procedures that are relevant to their responsibilities during normal facility operations? **KAR 28-31-4(h)(8) [388]**

☐ ☒

HAZARDOUS WASTE REPORTING REQUIREMENTS FOR KANSAS AND EPA GENERATORS (GRR)

29. Has Kansas generator submitted an annual monitoring fee to KDHE?

KAR 28-31-10(g)(3) [392]

☒ ☐ ☐

30. Has EPA generator submitted an annual monitoring fee and report to KDHE?
KAR 28-31-4(f)(3) [396] ☐ ☐ ☒
31. Has EPA generator submitted biennial report(s) to KDHE?
KAR 28-31-4(f)(2)(A) [397] ☐ ☐ ☒
a. Does generator retain a copy of the report for three years?
KAR 28-31-4(f)(1)(B) [398] ☐ ☐ ☒

PREPAREDNESS AND PREVENTION REQUIREMENTS FOR KANSAS AND EPA GENERATORS (GPT)

YES NO NA V#

32. Has the generator maintained and operated the facility to minimize the possibility of a fire, explosion, or any unplanned sudden or non-sudden release of hazardous waste or hazardous waste constituents? **KAR 28-31-4(g)(4) [418] or KAR 28-31-4(h)(5)/40 CFR 265.31 [402]** ☒ ☐ ☐
33. **If appropriate**, based upon the nature and quantity of each waste generated and stored at the facility, is the facility equipped with:
- a. Internal communication or alarm system easily accessible in case of emergency? **KAR 28-31-4(g)(4) [419] or KAR 28-31-4(h)(5)/40 CFR 265.32(a) [403]** ☒ ☐ ☐
- b. Telephone or hand-held two-way radio capable of summoning emergency assistance from local police departments, fire departments, or State or local emergency response teams? **KAR 28-31-4(g)(4) [420] or KAR 28-31-4(h)(5)/40 CFR 265.32(b) [404]** ☒ ☐ ☐
- c. Portable fire extinguishers, fire control equipment, spill control equipment, and decontamination equipment? **KAR 28-31-4(g)(4) [421] or KAR 28-31-4(h)(5)/40 CFR 265.32(c) [405]** ☒ ☐ ☐
- d. Water of adequate volume and pressure to supply hose streams, foam producing equipment, automatic sprinklers, and water spray systems? **KAR 28-31-4(g)(4) [422] or KAR 28-31-4(h)(5)/40 CFR 265.32(d) [406]** ☒ ☐ ☐
34. Is the equipment (32a-32c above) tested and maintained to ensure its proper operation? **KAR 28-31-4(g)(4) [423] or KAR 28-31-4(h)(5)/40 CFR 265.33 [407]** ☒ ☐ ☐
35. Does a check of the facility show sufficient aisle space to allow unobstructed movement of personnel and equipment? **KAR 28-31-4(g)(4) [424] or KAR 28-31-4(h)(5)/40 CFR 265.35 [408]** ☐ ☐ ☒
36. **As appropriate**, for each type of waste handled, has the generator attempted to make the following arrangements:
- a. Familiarized the local emergency authorities with the facility, properties and hazards of each waste handled, locations of workers, entrances to facility roads and possible evacuation routes? **KAR 28-31-4(g)(4) [425] or KAR 28-31-4(h)(5)/40 CFR 265.37(a)(1) [409]** ☐ ☐ ☒
- b. Designated one authority where one or more police or fire departments might respond to an emergency? **KAR 28-31-4(g)(4) [426] or KAR 28-31-4(h)(5)/40 CFR 265.37(a)(2) [410]** ☐ ☐ ☒
- c. Made agreements with local emergency response teams, emergency response contractors, and equipment suppliers? **KAR 28-31-4(g)(4) [427] or KAR 28-31-4(h)(5)/40 CFR 265.37(a)(3) [411]** ☐ ☒ ☐
- d. Familiarized local hospitals with the properties of hazardous waste handled and types of injuries or illnesses which could result from fires, explosions, or releases at the facility? **KAR 28-31-4(g)(4) [428] or KAR 28-31-4(h)(5)/40 CFR 265.37(a)(4) [412]** ☐ ☒ ☐

37. Do personnel have immediate access to an internal alarm or emergency communication device, either directly or through visual or voice contact with another employee, when handling hazardous waste (unless such a device is not required under ' 265.32)?

KAR 28-31-4(g)(4) [429] or KAR 28-31-4(h)(5)/40 CFR 265.34 [413]

☒ ☐ ☐

38. In cases where local authorities decline to enter into such arrangements, is the refusal documented? **KAR 28-31-4(g)(4) [430] or KAR 28-31-4(h)(5)/40 CFR 265.37(b) [414]**

☐ ☐ ☒

(If Kansas Generator, stop here)

PERSONNEL TRAINING FOR EPA GENERATORS (GPT)

YES NO NA V#

39. Has the generator established a hazardous waste management training program?

KAR 28-31-4(g)(4)/40 CFR 265.16(a)(1) [434]

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- a. Is the program directed by a person trained in hazardous waste management?

KAR 28-31-4(g)(4)/40 CFR 265.16(a)(2) [435]

☐ ☐

- b. Are new personnel trained within six months after their employment or placement to a new position? **KAR 28-31-4(g)(4)/40 CFR 265.16(b) [436]**

☐ ☐

- c. Are new employees supervised until training is completed?

KAR 28-31-4(g)(4)/40 CFR 265.16(b) [437]

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- d. After initial training, are employees trained on an annual basis?

KAR 28-31-4(g)(4)/40 CFR 265.16(c) [438]

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- e. Does the generator maintain the following documents and records:

1. Job title for each position related to hazardous waste management and the name of the employee filling each job?

KAR 28-31-4(g)(4)/40 CFR 265.16(d)(1) [439]

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2. Written job description for each position?

KAR 28-31-4(g)(4)/40 CFR 265.16(d)(2) [440]

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3. Description of type and amount of both introductory and continuing training to be given each person, including the implementation of the contingency plan?

KAR 28-31-4(g)(4)/40 CFR 265.16(d)(3) [441]

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4. Records of training or job experience completed by facility personnel?

KAR 28-31-4(g)(4)/40 CFR 265.16(d)(4) [442]

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5. Are training records kept on all current employees until closure of all hazardous waste units and all past employees for three years from last date of employment? **KAR 28-31-4(g)(4)/40 CFR 265.16(e) [443]**

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CONTINGENCY PLAN FOR EPA GENERATORS (GPT)

YES NO NA V#

40. Does the generator have a contingency plan? **KAR 28-31-4(g)(4)/40 CFR 265.51(a) [447]**
If yes,

☐ ☐

- a. Does the plan list the name, home address, and phone numbers (home and office) of each designated emergency coordinator in the order in which they should be contacted? **KAR 28-31-4(g)(4)/40 CFR 265.52(d) [448]**

☐ ☐

- b. Is an emergency coordinator available at all times?

KAR 28-31-4(g)(4)/40 CFR 265.55 [449]

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- c. Does the plan describe emergency actions facility personnel must take to respond to fires, explosions, or releases of hazardous waste?

KAR 28-31-4(g)(4)/40 CFR 265.52(a) [450]

☐ ☐

- d. Does the plan describe arrangements made with police, fire departments, hospitals, contractors, or any emergency response agency?
KAR 28-31-4(g)(4)/40 CFR 265.52(c) [451] ☐ ☐
- e. Does the plan include a list of all emergency equipment at the facility, its location, a physical description of each item on the list, and a brief outline of the capabilities of each item? **KAR 28-31-4(g)(4)/40 CFR 265.52(e) [452]** ☐ ☐
- f. Does the plan include an evacuation plan for facility personnel that describes signals and evacuation routes? **KAR 28-31-4(g)(4)/40 CFR 265.52(f) [453]** ☐ ☐
- g. Have copies of the plan and any revisions been provided to the police and fire departments, hospitals, and any emergency response agency that may respond to an emergency? **KAR 28-31-4(g)(4)/40 CFR 265.53(b) [454]** ☐ ☐
- h. If implementation of the plan has been required at the facility, did the generator submit a written report on the incident to the KDHE within 15 days after the incident?
KAR 28-31-4(g)(4)/40 CFR 265.56(j) [455] ☐ ☐ ☐

(If EPA Generator, stop here.)

V# = Violation Number
Checklist Revised July 30, 2010

ADDITIONAL INFORMATION AND CONCLUSIONS:

Additional Information if applicable:

KANSAS DEPARTMENT OF HEALTH AND ENVIRONMENT
DIVISION OF ENVIRONMENT
Bureau of Environmental Field Services
Waste Management Programs
Southeast District Office



Photos Have Not Been Altered Except for Size of Photo

Site Name: Bushnell Outdoor Products **Number:** KSR 000 509 463
Address: 22101 W 167th Street, Olathe, KS 66062 **Camera:** Sony DSC-P200
County: Johnson **Taken By:** Victoria S. O'Brien

Archive Disc File: DSC-FFY11-028



Photo No.: 1
Date: November 15, 2010
Time: 2:15 p.m.
General Direction Faced: North
Weather Conditions: Inside
Location: Warehouse
Comments:
Type of cardboard container used to accumulate damaged/leaking product items.

Archive Disc File: DSC-FFY11-031



Photo No.: 2
Date: November 16, 2010
Time: 10:35 a.m.
General Direction Faced: Southeast
Weather Conditions: Cold
Location: Immediately North of Bldg.
Comments:
Two black, metal 55-gallon drums used to accumulate/store damaged/leaking product items.

KANSAS DEPARTMENT OF HEALTH AND ENVIRONMENT

DIVISION OF ENVIRONMENT

Bureau of Environmental Field Services

Waste Management Programs

Southeast District Office



Photos Have Not Been Altered Except for Size of Photo

Site Name: Bushnell Outdoor Products **Number:** KSR 000 509 463
Address: 22101 W 167th Street, Olathe, KS 66062 **Camera:** Sony DSC-P200
County: Johnson **Taken By:** Victoria S. O'Brien

Archive Disc File: DSC-FFY11-030



Photo No.: 3
Date: November 15, 2010
Time: 2:20 p.m.
General Direction Faced: Southeast
Weather Conditions: Cold
Location: Immediately North of Bldg.
Comments:
Drum containment unit used to contain
two drums of damaged/leaking
product items discussed in Photo No.
2.